

## **REMARKS**

Applicant would like to thank the Examiner for carefully reviewing this application. Applicant respectfully requests reconsideration of this application in view of the above amendments and the included remarks.

### **I. Disposition of Claims**

Claims 8-17 were pending in this application. Claims 10-11 and 15-16 have been canceled in this reply without prejudice or disclaimer. Claims 8 and 14 are independent claims and have been amended in this reply. Claims 9, 12-13, and 17 are dependent claims. Also, new claims 18-31 are dependent claims. The claim amendments and newly added claims are fully supported by the specification as originally filed. See, for example, Figure 7 and the accompanying description thereof. No new matter has been added.

### **II. Rejection under 35 U.S.C. § 101**

Claims 8-17 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. To the extent that this rejection may still apply to the amended claims, the rejection is respectfully traversed.

As amended, claims 8 and 14 are directed to a technological machine. Specifically, claims 8 and 14 relate to an instrument for contemplation that requires a computer terminal having memory, and software executable on the computer terminal that provides specific cells to

and receives input data from participants of a meeting. The data received is stored within the memory of the computer terminal, and retrieved therefrom as needed for processing and display.

The invention, as now recited in amended claims 8 and 14, produces a concrete, tangible result in that the best solutions and/or actions to be taken (thought results) to solve specific problems or achieve specific goals (subjects) are selected using the software executable on the computer terminal. As noted previously, the selection of the best solutions and/or actions to be taken, are useful, concrete, and tangible results produced by the claimed invention just like, for example, a final share price (*See State Street Bank & Trust Co. V. Signature Financial Group Inc.*, 149 F. 3d 1368, 1373, 47 USPQ2d 1596, 1600 (Fed. Cir. 1998) or a smooth waveform displayed on a rasterizer monitor (*See Alappat*, 33 F. 3d at 1544, 31 USPQ2d at 1557) have been considered useful, concrete and tangible results.

Therefore, claims 8 and 14, as amended, are now directed to statutory matter within the boundaries set by 35 U.S.C. § 101. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

### **III. Rejection under 35 U.S.C. § 112**

Claims 8-17 stand rejected under 35 U.S.C. § 112, first paragraph as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. Specifically, the Examiner states that the invention does not produce a concrete or tangible result. Claims 10-11 and 15-16 have been canceled in this reply. Accordingly, this rejection is moot with respect to these claims. With respect to the remaining claims, independent claims 8 and 14, as amended, relate to a technological invention

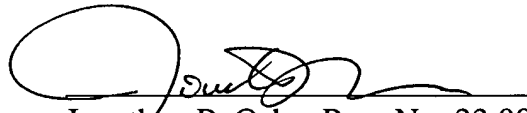
that produces a concrete, tangible result. Dependent claims are allowable for at least the same reasons. Accordingly, Applicant respectfully requests the withdrawal of the rejection.

#### IV. Conclusion

Applicant believes this reply is responsive to all outstanding issues and places the application in condition for allowance. If this belief is incorrect, or other issues arise, please do not hesitate to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09564/002001).

Respectfully submitted,

Date: 5/3/04



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<b>Serial No.</b> 09/711,002	<b>Filing Date</b> November 9, 2000	<b>Examiner</b> Kurt Fernstrom
		<b>Group Art Unit</b> 3712

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